

SN. 09/908,970

ATTORNEY DOCKET No. CANO:032

REMARKS

Claims 1-19 and 22 are now pending in this application for which applicants seek reconsideration.

Amendment

Claims 1, 2, 5-7, 18, and 19 have been amended. Independent claims 1 and 5 have been amended to further define when the adjustment of the light amount is carried out, namely incorporating part of claim 2 and 6, respectively. Claims 2 and 6 have been amended to reflect the changes made to the independent claims. Independent claims 7, 18, and 19 also have been amended to incorporate the subject matter similar to that incorporated in claim 1 or 5. New claim 22 has been added to further define the invention. Support for new claim 22 can be found at least on the paragraph spanning pages 34-35 of the present specification. No new matter has been introduced.

Art Rejection

Claims 1, 3-5, 7-11, 13, 15, and 17-21 were rejected under 35 U.S.C. § 103(a) as unpatentable over Applicants' admitted prior art (AAPA) in view of Rotter (USP 6,134,496). Claims 2, 6, 12, 14, and 16 were rejected under § 103(a) as unpatentable over AAPA in view of Rotter and Nabeshima (USP 6,330,083). Applicants traverse these rejections at least to the extent that the applied references would not have taught the subject matter set forth in claims 2 or 6, or as set forth in amended claims 7, 18, and 19.

Independent claims 1 and 5 now adopt part of claim 2 or 6, defining that the adjustment means adjusts the light amount from the light-emitting section after a predetermined time period has passed after the original conveying apparatus has moved into a standby mode. Independent claims 7, 18, and 19 similarly define that the adjustment means adjusts the light amount from the light-emitting section after a predetermined time period has passed after the image forming apparatus has moved into a standby mode.

In rejecting claim 2, the examiner relied on the AAPA, which is deemed to have all of the claimed features, except for the inhibiting feature, namely inhibiting writing to an EEPROM when the correction value is less than a predetermined threshold. The examiner relied upon Rotter for the proposition that writing the correction value to a RAM when it is small and to an EEPROM when it is large would have been obvious. The examiner further relied upon Nabeshima for the proposition that using a timer to adjust the light setting would have been obvious. The examiner took Official Notice that all modern imaging apparatus have a standby

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mode to save power. In essence, the examiner took the position that it would have been obvious for the AAPA to adjust the light amount from the light-emitting section after a predetermined period passes after the image forming apparatus has moved into a standby mode in view of Nabeshima. Applicants disagree with the examiner's assessment because none of the applied references would have disclosed or taught adjusting light quantity of a document detecting sensor after the original conveying apparatus or the image forming apparatus has moved into the standby mode.

First, Rotter indeed discloses storing correction values in a RAM when the deviation is small and storing in an EEPROM when the deviation is greater. But Rotter does not teach anything having to do with adjusting the lighting. Accordingly, Rotter would not have motivated one of ordinary skill in the art to look to Rotter for adjusting a light amount.

Second, Nabeshima discloses an image reading device that continuously reads large amounts of documents using a light source, such as a fluorescent lamp whose light quantity varies depending on an ambient temperature and other factors. Nabeshima discloses adjusting light quantity of the fluorescent lamp for illuminating documents while the apparatus is in the operational mode. Nabeshima, however, does not disclose or teach adjusting the light quantity of a document-detecting sensor after the image forming device or the original conveying apparatus has moved into the standby mode. Moreover, there would not have been any motivation for Nabeshima to adjust the light quantity after the apparatus has moved into the standby mode. Accordingly, applicants submit that claims 1-19 clearly distinguish over the applied references.

New claim 22 calls for adjusting the light amount based on the correction value stored in a nonvolatile storage device when the new correction value obtained has not changed by at least a predetermined amount relative to the correction value before the adjustment. Applicants submit that the applied references also would not have taught this feature.

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Conclusion

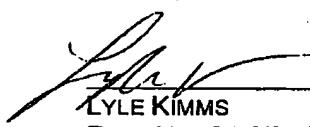
Applicants submit that claims 1-19 and 22 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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07 JULY 2005

DATE



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REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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